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A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AMENDING RESOLUTION NO. 72737 TO AMEND AND ESTABLISH VARIOUS FEES AND CHARGES EFFECTIVE JULY 1, 2011

WHEREAS, on June 14, 2005, the City Council adopted Resolution No. 72737 establishing the Schedule of Fees and Charges effective July 1, 2005; and

WHEREAS, on December 13, 2005, the City Council adopted Resolution No. 73019 amending the Schedule of Fees and Charges to establish a Secondary Units Clearance Fee, effective December 13, 2005; and

WHEREAS, on February 7, 2006, the City Council adopted Resolution No. 73056 amending the Schedule of Fees and Charges to establish an Off-Sale of Alcoholic Beverage Establishments Inspection Program Fee, effective February 7, 2006; and

WHEREAS, on June 20, 2006, the City Council adopted Resolution No. 73242 to amend and establish various fees and charges effective July 1, 2006; and

WHEREAS, on February 6, 2007, the City Council adopted Resolution No. 73637 amending the Schedule of Fees and Charges to increase the Lobbyist Delinquent Report Fee, effective February 6, 2007; and

WHEREAS, on June 12, 2007, the City Council adopted Resolution No. 73831 to amend and establish various fees and charges effective July 1, 2007; and

WHEREAS, on June 19, 2007, the City Council adopted Resolution 73879 amending the Schedule of Fees and Charges to revise the Source Reduction and Recycling Fee for Eligible Public School Districts, effective July 1, 2007; and

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WHEREAS, on June 19, 2007, the City Council adopted Resolution No. 73881 amending the Schedule of Fees and Charges to revise the Inclusionary Fees, effective either July 1, 2007 or September 29, 2007; and

WHEREAS, on October 2, 2007, the City Council adopted Resolution No. 74035 amending the Schedule of Fees and Charges to conform new San José Municipal Code Section Numbers in Title 7 and to establish Administrative Late Fee for Licensing after Issuance of an Administration Citation, to be effective October 2, 2007; and

WHEREAS, on October 16, 2007, the City Council adopted Resolution No. 74047 amending the Schedule of Fees and Charges to Standardize Fees for Photocopying, to be effective October 16, 2007; and

WHEREAS, on June 17, 2008, the City Council adopted Resolution No. 74452 to amend and establish various fees and charges effective July 1, 2008; and

WHEREAS, on March 24, 2009 the City Council adopted Resolution No. 74839 amending the Schedule of Fees and Charges to Decrease Cardroom Table Fees for Fiscal Year 2008-2009, to be effective March 24, 2009; and

WHEREAS, on March 24, 2009, the City Council adopted Resolution No. 74841 amending the Schedule of Fees and Charges to adjust certain Planning Fees to Cost Recovery and make other Minor Fee Changes, to be effective May 26, 2009; and

WHEREAS, on June 16, 2009, the City Council adopted Resolution No. 74981 to amend and establish various fees and charges effective July 1, 2009; and

WHEREAS, on October 20, 2009, the City Council adopted Resolution No. 75135 to eliminate the Subpoenaed Officer Court Appearance Fee; and

WHEREAS, on April 13, 2010, the City Council adopted Resolution No. 75334 to establish Reinspection Fees for Code Enforcement Services, to be effective April 13, 2010; and

WHEREAS, on April 13, 2010, the City Council adopted Resolution No. 75338 to increase the Maximum Ticket Charge for Gated Events on Public Property, to reduce the Gated Event on Public Property Fee for the period of January 1, 2009 to June 30, 2010, to repeal the Special Events Traffic Enforcement Unit Fee, and to authorize the Chief Development Officer to issue refunds to event organizers who paid Gated Event on Public Property Fees retroactive to January 1, 2009; and

WHEREAS, on June 17, 2010, the City Council adopted Resolution No. 75442 to amend and establish various fees and charges, effective July 1, 2010; and

WHEREAS, on August 3, 2010, the City Council adopted Resolution No. 75502 to correctly set forth the Public Entertainment Ownership/Management License Fee, effective August 3, 2010; and

WHEREAS, on August 3, 2010, the City Council adopted Resolution No. 75509 to decrease the Cardroom Card Table Fee, effective August 3, 2010; and

WHEREAS, on October 19, 2010, the City Council adopted Resolution No. 75600 to clarify the existing Disposal Facility Operator Integrated Waste Management Fee, effective October 19, 2010; and

WHEREAS, on October 26, 2010, the City Council adopted Resolution No. 75610 to revise and establish various Public Entertainment Ownership/Management License Fees, to be effective December 10, 2010; and

WHEREAS, on November 30, 2010, the City Council adopted Resolution No. 75639 to eliminate the Bicycle License Fees, to be effective November 30, 2010; and WHEREAS, on November 30, 2010, the City Council adopted Resolution No. 75641 to establish fees for Waste Diversion Compliance, to be effective January 1, 2011; and

WHEREAS, on December 14, 2010, the City Council adopted Resolution No. 75684 to establish fees for Wayfinding Banner Application and Double Banner Installation, to be effective December 14, 2010; and

WHEREAS, on April 19, 2011, the City Council adopted Resolution No. 75783 to establish a Medical Marijuana Collective Application Processing Fee and to establish a Medical Marijuana Investigation Hourly Fee, to be effective April 19, 2011; and

WHEREAS, on May 2, 2011, the City Manager's Office published the 2011-2012 Proposed Fees & Charges Report; and

WHEREAS, subsequent changes were made to the 2011-2012 Proposed Fees & Charges Report through the Manager's Budget Addenda; and

WHEREAS, the City Council desires to further amend Resolution No. 72737 as amended to amend, delete, and establish various fees and charges effective July 1, 2011;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

<u>AMENDMENTS TO PART 1 – POLICE DEPARTMENT</u>

SECTION 1. Section 1.030 of Part 1 of Resolution No. 72737 is amended as follows:

1.030 **Photographs**

b.	Color	3½ x 5 4 x 6 5 x 7 8 x 10	\$6.00 each \$6.00 each \$6.00 each \$6.00 each
d.	Photo CD		\$8.00 per CE

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\$8.00 per CD

Section 1.050 of Part 1 of Resolution No. 72737 is amended as **SECTION 2.** follows:

1.050 **Duplicate Tapes**

> Audio Tapes a.

\$11.00 per 60 min. tape \$11.00 per 90 min. tape

SECTION 3. Section 1.110 of Part 1 of Resolution No. 72737 is amended as follows:

1.110 Computerized Services

Public Records Act/Research

\$84.00 per hour

SECTION 4. Section 1.210 of Part 1 of Resolution No. 72737 is amended as follows:

1.210 Amusement Device Licenses

\$133.00 per year for each

(Including music machines)

(SJMC §6.08.060, 6.80.080)

device

Operator Permit (SJMC §6.08.060) \$282.00 per year, plus \$133.00 per year for each amusement device owned

Exhibitor License (SJMC §6.08.080) \$282.00 per year

Location Permit (SJMC §6.08.080) \$282.00 per year

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SECTION 5.

Section 1.220 of Part 1 of Resolution No. 72737 is amended as

follows:

1.220 Bingo Permit

(SJMC §6.16.150)

General Permit

\$50.00 initial issue, plus

2.27% of the monthly gross

payouts

General Permit Renewal

\$50.00 per year, plus 2.27%

of the monthly gross

payouts

Special one-day permit

\$40.00, plus 2.27% of the

gross payouts

SECTION 6.

Section 1.240 of Part 1 of Resolution No. 72737 is amended as

follows:

1.240 <u>Cardroom Permits</u>

Cardroom Regulation Fee (SJMC §16.30.060B)

\$956,345.00 per Cardroom

per year

Work Permit Fee (SJMC §16.40.020 D)

\$388.00 per employee initial issue, plus \$40.00 for two sets of fingerprint cards, plus current State and FBI

fingerprinting fees

Work Permit Renewal Fee (SJMC §16.40.020 D)

\$388.00 per employee plus \$40.00 for two sets of fingerprint cards, plus current State and FBI fingerprinting fees

Gaming Permit Registration – Non-Profit Fundraiser

\$597.00 per event

SECTION 7.

Section 1,260 of Part 1 of Resolution No. 72737 is amended as

follows:

1.260 <u>Closing-out Business Sales Permit Application</u>

(closing out, liquidation--fire sales, bankruptcy,

etc.)

(SJMC §6.18.040)

\$115.00 per 60-day permit

Renewal

(SJMC §6.18.050)

\$115.00 per 30 day renewal

SECTION 8.

Section 1.270 of Part 1 of Resolution No. 72737 is amended as

follows:

1.270 <u>Concealable Firearms Dealer's License</u>

Dealer Initial Application (SJMC §10.32.040)

\$598.00 per permit plus any fee charged by the State Department of Justice

Dealer Annual Renewal (SJMC §10.32.090)

\$598.00 per permit plus any fee charged by the State Department of Justice

Dealer Change of Location of Place of

Business (SJMC §10.32.040)

\$598.00 per permit plus any fee charged by the State Department of Justice

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SECTION 9.

Section 1.310 of Part 1 of Resolution No. 72737 is amended as

follows:

1.310 <u>Massage Business</u>

Massage Business Permit (SJMC Section 6.44.460)

\$2,097.00 biennial

Massage Therapist License (SJMC Section 6.44.460)

\$213.00 per year

Massage Therapist Identification Card

(SJMC Section 6.44.460)

\$49.00 per year

Ownership/Management License

(SJMC Section 6.44.460)

\$313.00 per 2 years

SECTION 10.

Section 1.320 of Part 1 of Resolution No. 72737 is amended as

follows:

1.320 <u>Pawnbrokers and Secondhand Dealers Permit</u> (SJMC §6.52.020)

Pawnbroker's Permit

\$779.00 initial issue plus any fee charged by the State Department of

Justice

Pawnbroker's Permit Renewal

\$195.00 annually plus any fee charged by the State Department of Justice

Secondhand Jewelry Dealer or Secondhand

Dealer's Permit

\$233.00 initial permit plus any fee charged by the State Department of

Justice

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SECTION 11. Section 1.330 of Part 1 of Resolution No. 72737 is amended as follows:

1.330 <u>Peddlers' Fees</u>

Peddler's Business Permit (SJMC §6.54.310)

New Permit

\$164.00 initial permit

Renewal

\$164.00 annually

Peddler's Approved Location Permit (SJMC §6.54.310)

New Permit

\$462.00 initial permit

Renewal

\$164.00 annually

Peddler – Issue ID Card

\$49.00 annually

(SJMC §6.54.210)

Peddler Employee License Fee

(SJMC §6.54.310)

\$164.00 annually

SECTION 12. Section 1.340 of Part 1 of Resolution No. 72737 is amended as follows:

1.340 <u>Peepshow Establishment Permit</u> (SJMC §6.80.030)

Application Fee

\$297.00 per two-year

permit

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Section 1.350 of Part 1 of Resolution No. 72737 is amended as SECTION 13. follows:

1.350 Pool or Billiard Room License (SJMC §6.56.030)

\$507.00 annually

Section 1.360 of Part 1 of Resolution No. 72737 is amended as SECTION 14. follows:

1.360 **Public Dance Hall Permits**

> Class A Permit \$538.00 initial permit

> > \$405.00 annual renewal

Class C Permits (SJMC §6.58.060)

\$538.00 new permit

\$405.00 annual renewal

Class B Permits - New/Renewal

\$195.00 per permit

Section 1.370 of Part 1 of Resolution No. 72737 is amended as **SECTION 15.** follows:

1.370 Taxicab and Limousine Service Permits (SJMC §6.64.170)

Taxicab Owner License Application

\$11,138.00 per application

Taxicab Owner License Renewal

\$2,678.00 annually per

company

Taxicab Restricted Owner's License

\$3,064.00 annually per

company

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Taxicab Driver's Permit (SJMC §6.64.490)

\$396.00 per 2 years

per driver

Taxicab Vehicle Inspection, Re-inspection or

\$142.00 per inspection

Missed Inspection

Taxicab Driver's Written Retest or Missed Test

\$215.00 per test

SECTION 16.

Section 1.380 of Part 1 of Resolution No. 72737 is amended as

follows:

1.380

Street Closing

(SJMC §13.16.075)

Temporary Street Closing Permit

\$313.00 per permit

Block Party Permit:

New Permit

\$197.00 per permit

Renewal Permit

\$ Ø per permit (if renewed within one year of original application) or \$197.00 if renewed after 1 year

SECTION 17.

Section 1.390 of Part 1 of Resolution No. 72737 is amended as

follows:

1.390

Funeral Escort Permits

(SJMC §11.62.030)

Operator Permit – Initial

\$431.00 initial permit

Operator Permit – Renewal

\$164.00 annual renewal

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Vehicle Inspection Permit

\$82.00 annually

SECTION 18. Section 1.400 of Part 1 of Resolution **N**o. 72737 is amended as follows:

1.400 <u>Ice Cream Truck Permits</u> (SJMC §6.39.320)

Ice Cream Truck Business Permit \$246.00 per permit plus

fingerprint fees

Ice Cream Truck Business Permit Renewal \$180.00 annual renewal

Employee License \$246.00 per permit plus

fingerprint fees

Employee License Renewal \$180.00 annual renewal

Ice Cream Truck Inspection \$98.00 per 2 years

SECTION 19. Section 1.410 of Part 1 of Resolution No. 72737 is amended as follows:

1.410 License/Permit Transfer \$49.00 per transfer

SECTION 20. Section 1.420 of Part 1 of Resolution No. 72737 is amended as follows:

1.420 One-Day Liquor Assessment \$149.00 per permit

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SECTION 21. Section 1.430 of Part 1 of Resolution No. 72737 is amended as follows:

1.430 Replacement of ID cards, Permits & License \$49.00 per replacement

SECTION 22. Section 1.440 of Part 1 of Resolution No. 72737 is amended as follows:

1.440 Press Pass \$49.00 per year

SECTION 23. Section 1.450 of Part 1 of Resolution No. 72737 is amended as follows:

1.450 Media Production Permit \$630.00 per permit

Section 1.460 of Part 1 of Resolution No. 72737 is amended as follows:

1.460 <u>Vehicle Impound Fee</u>

Release of Impounded Vehicle \$198.00 per release

SECTION 25. Section 1.480 of Part 1 of Resolution No. 72737 is amended as follows:

1.480 Parade Permit \$313.00 per permit

SECTION 26. Section 1.490 of Part 1 of Resolution No. 72737 is amended as follows:

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1.490 Public Entertainment Permit

\$1,363.00 per 4 years **Business Permit Fee** (SJMC §6.60.320) \$769.00 per 4 years **Business Permit Renewal Fee** (SJMC §6.60.330) \$691.00 per 4 years Ownership License Fee (SJMC §6.60.330) Ownership License Renewal Fee \$384.00 per 4 years (SJMC §6.60.330) \$691.00 per 2 years Management License Fee (SJMC §6.60.330) \$384.00 per 2 years Management License Renewal Fee (SJMC §6.60.330) \$164.00 per venue change Management License Change of Venue Fee for Manager s Only (SJMC §6.60.330)

SECTION 27. Section 1.500 of Part 1 of Resolution No. 72737 is amended as follows:

1.500 <u>Secondary Employment</u> (SJMC §8.16.090)

Identification Card

(SJMC §6.60.330)

1. New Permit \$494.00 per year

2. Renewal Fee \$494.00 per year

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\$49.00 per 2 years

4. Permit - Events Lasting 5 Days or Less \$221.00 per event

SECTION 28. Section 1.520 of Part 1 of Resolution No. 72737 is amended as

follows:

1.520 Private Property Tow \$462.00 per application per

2 years

SECTION 29. Section 1.530 of Part 1 of Resolution No. 72737 is amended as

follows:

1.530 <u>Tow-Car Permit</u>

(SJMC §6.66.110)

Tow-Car Business Permit Application \$660.00 new permit per 2

years

Tow-Car Business Permit Renewal \$164.00 renewal per 2

years

Tow-Car Business Assistant (Driver) Permit

Application

\$231.00 new permit per 2

years

Tow-Car Business Assistant (Driver) Permit

Renewal

\$128.00 renewal per 2

years

SECTION 30. Section 1.550 of Part 1 of Resolution No. 72737 is amended as

follows:

1.550 <u>Event Promoter Permit</u>

(SJMC §6.62.460)

\$1,173.00 per 2 years

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SECTION 31. Part 1 of Resolution No. 72737 is amended to add Section 1.570 as

follows:

1.570

<u>Crime Prevention Through</u> Environmental Design \$133.00 per hour

AMENDMENTS TO PART 2 - FIRE DEPARTMENT

SECTION 32. Section III, "Other Development Related Services and Fees", in Section 2.040 of Part 2 of Resolution No. 72737 is amended as follows:

III. OTHER DEVELOPMENT RELATED SERVICES AND FEES

<u>Item</u>

<u>Fee</u>

2. Fire Hydrants

Latest bid price accepted by City plus current Stores Fund, and hourly rate (minimum half hour) handling charge by the Fire Department. Hydrant fees are transferred to the Department of General Services.

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SECTION 33. Section 2.050 of Part 2 of Resolution No. 72737 is amended as follows:

2.050 NON-DEVELOPMENT RELATED FEES

I. ANNUAL RENEWABLE OPERATING PERMITS

A. Occupancy Permits

Fees for facilities required to obtain Fire Safety permits will be based on the business type of facility, as classified by the California Building Code (CBC), and modified by the City of San Jose Fire Department. All outstanding fees shall be paid prior to the issuance of the permit certificate.

Facilities are grouped into Occupancy Groups based on average inspection times. Fees are then computed using the same average inspection times and the average number of permits for the group.

	Occupancy Group	Fee per Facility
1.	Group 1: A1, A2, H1, H3, H4, H5, I3, I4, S2, and U	\$389.00 plus hourly rate if initial inspection surpasses 2 hours
2. * exc	Group 2: A3, A4, A5, B, E, F1, F2, H2, I2, M, R1, R3, R3.1, and S1 cept for Public Schools	\$442.00 plus hourly rate if initial inspection surpasses 2.5 hours
3.	Group 3: I1.1, R2 and R4	\$531.00 plus hourly rate if initial inspection surpasses 3 hours

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Council Agenda: 06/14/2011 Item No.: 3.7(b) 6. Group 9: R1 High-Rise

\$1,077.00 plus hourly rate if initial

inspection surpasses 6

hours

7. Group 18: B High-Rise

\$1,564.00 plus hourly rate if initial

inspection surpasses 9

hours

8. Records Retention Surcharge

5% of the permit

and inspection

fees

(applies to each permit listed

above)

9. Public School (E) Occupancies

\$0

B. <u>Hazardous Materials Permits</u>

A Hazardous Materials permit shall be obtained for all hazardous materials (regardless of quantity) regulated by the San José Fire Code, SJMC §17.12 and/or the Hazardous Materials Storage Ordinance, SJMC §17.68 unless identified in the Minimum Reportable Threshold Quantity Table, see section B.1, below.

The fee for each Quantity Range as set forth in Section B.3 is \$157.00.

EXCEPTIONS:

- Gases: Liquefied Petroleum Gas (LP-gas, LPG) containers, other than stationary systems.
- Nitrogen, helium, neon, argon, krypton, xenon, carbon dioxide, compressed air, and sulfur hexafluoride, below the San José Fire Code Permit Quantities, in either compressed gas phase or cryogenic state.
- Division 6.2: Infectious Substance.
- Class 7: Radioactive

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The hazardous materials permit fee shall be computed as described below.

- Stationary installations of Liquefied Petroleum Gas (LP-gas, LPS) shall be charged the equivalent of two Quantity Ranges.
- Oxygen, nitrogen, helium, neon, argon, krypton, xenon, carbon dioxide, sulfur hexafluoride, and compressed air, at or above the San José Fire Code Permit Quantities in either compressed gas phase or cryogenic state shall be charged the equivalent of one Quantity Range.
- All other hazardous materials shall be computed based upon the DOT Hazard Class, See Table 1, as described below in conjunction with the Quantity Ranges as added up in total.

3. <u>Standard Hazardous Materials Permit Fee</u>

To determine the permit fee for facilities required to report on the long form hazardous Materials Business Plan (HMBP), except those that qualify under B.4 below:

- a) Select the hazard class for the material stored based on the primary hazard class.
- b) Aggregate all the materials in that hazard class by category (solid, liquid, or gas).
- c) Select the appropriate quantity range for that hazard class in each category (solid, liquid, or gas).
- d) Add all quantity ranges in all classes.
- e) Multiply the total number of quantity ranges by the fee of \$157.00 per quantity range.
- f) Except for Public Schools, which shall pay \$0 permit fee.

	HAZARDOUS MATE	ERIALS QUANTITY RA	ANGES
RANGE NUMBERS		RANGE AMOUNTS	5
	Gases (cubic feet)	Liquids (gallons)	Solids (pounds)

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1	Less than 200	Less than 55	Less than 500
2	200 to 1,999	55 to 549	500 to 4,999
3	2,000, to 9,999	550 to 2,749	5,000 to 24, 999
4	10,000 to 19,999	2,750 to 5,499	25,000 to 49,999
5	20,000 to 39,999	5,500 9,999	50,000 to 99,999
6	40,000 to 99,999	10,000 to 99,999	100,000 or more
7	100,000 or more	100,000 or more	

4. Retail Product Storage Facilities

Retail product storage facilities shall pay the rate of one quantity range for the materials that qualify under the retain products exemption of Chapter 6.95 of the California Health and Safety Code. In addition, they shall pay the standard rate per quantity range, as described in B.3 above, for all regulated materials not included in the retail exemption.

5. State Requirement Fees

In addition to the fees described in B.3 and B.4 above, facilities required by the Health and Safety Code, Chapter 6.95, to submit an HMBP shall pay the following fees:

HMBP and Inventory Review Fee – a fee of \$155.00 plus \$7.00 per quantity range over one, per facility.

Except for Public Schools which shall pay \$0 permit fee.

6. Tank Permit Fee

Facilities with one or more underground tank regulated by California Health and Safety Code, Chapter 6.7, shall pay \$300.00 for the first tank and \$142.00 for each additional tank

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Except for Public Schools which shall pay \$0 permit fee.

7. <u>Inert Gas Permit Fee</u>

The rate equal to One (1) Quantity Range. The fee for One Quantity Range is \$157.00.

Except for Public Schools which shall pay \$0 permit fee.

8. Propane Permit Fee

The rate equal to two (2) Quantity Ranges. The fee for One Quantity Range is \$157.00.

Except for Public Schools which shall pay \$0 permit fee.

II. ONE-TIME NONRENEWABLE PERMITS

The one time nonrenewable permits listed below shall be obtained when required by the Fire Department. If indicated below, the fees for these permits include charges for plan review and inspections performed during normal duty hours. When not included in the permit fee, if plan review or inspections services are required, they will be charged at the service fee rate with a one-hour minimum. Review of plans previously disapproved, or additional plan review required by changes, additions, or revisions to previously approved plans will be charged an additional fee at the service fee rate.

A separate permit for a specific period of time shall be obtained for each location at which such operations are performed. If a permit that includes inspection and/or plan review has been obtained for a specific period of time at a specific location, the fees for additional permits for the same period of time and location may be reduced to \$217.00.

A. Permits that include Plan Review and Inspection Services

<u>Permits</u>

Permit Fee

1. Explosive or Blasting Agents (temporary manufacture, possession, storage or sale)

\$550.00 plus hourly rate if review surpasses

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		2 hours
2.	Fireworks	\$550.00 plus hourly rate if review surpasses 2 hours
3.	Mall, Covered (Special Use)	\$550.00 plus hourly rate if review surpasses 2 hours
4.	Pyrotechnical Special Effects Material	\$550.00 plus hourly rate if review surpasses 2 hours
5.	Tents, Canopies & Temporary Membrane Structures	\$550.00 plus hourly rate if review surpasses 2 hours
В.	Permits which include Plan Review or Inspection	
	<u>Permits</u>	Permit Fee
1.	Candles & Open Flames in Assembly Areas (inspection only included)	\$384.00 plus hourly rate if review surpasses 1 hour
2.	Ovens, Industrial Baking or Drying (inspection only included)	\$384.00 plus hourly rate if review surpasses 1 hour

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2011-12 Fees and Charges

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C. Permits which do not include Plan Review or Inspection

	<u>Permits</u>	Permit Fee
1.	Carnivals and Fairs	\$217.00 plus hourly rate if review needed
2.	Open Burning	\$217.00 plus hourly rate if review needed
3.	Welding & Cutting Operations (at a temporary job site involving construction or alteration permitted and regulated by the Building Code)	\$217.00 plus hourly rate if review needed

SECTION 34.

Section 2.060 of Part 3 of Resolution No. 72737 is amended as

follows:

2.060 OTHER SERVICES AND FEES

When other services by the Bureau of Fire Prevention are required, the following fees, as listed below, shall be paid.

	Service	<u>1 663</u>
15.	Outdoor Special Events Fee	\$108.00 per hour
16.	Hydrant Processing Fee	Hourly Rate (minimum

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2011-12 Fees and Charges

Fees

DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or <u>CityClerk@sanjoseca.gov</u> for final document.

Service

½ hour)

AMENDMENTS TO PART 3 - PLANNING, BUILDING AND CODE ENFORCEMENT DEPARTMENT

SECTION 35.

Part 3 of Resolution No. 72737 is amended to add Section 3.165 as

follows:

3.165

Covenant of Easement

\$1,580.00

SECTION 36. Table G of Section 3.180 of Part 3 of Resolution No. 72737 is amended as follows:

Table G

Permit

Fee

Administrative Permit – Recycling (Reverse Vending Machines and Small Collection Facility) (SJMC §20.08.100)

\$310.00

Planning Addressing Fee

Planning Hourly Rate (1 hour minimum)

SECTION 37. Section 3.480 of Part 3 of Resolution **No.** 72737 is amended as follows:

3.480 Residential Occupancy Permits (SJMC §17.20.530)

Apartment House

\$43.81 annually per

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2011-12 Fees and Charges

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Emergency Residential Shelters \$43.81 per dormitory

room annually

Guesthouse \$43.81 per guest

room annually

Motels/Houses and Hotels \$43.81 per guest

room annually

Residential Care Facilities for Seven or More Persons \$43.81 annually

Residential Service Facilities \$43.81 annually per

resident's room

Fraternity/Sorority Houses \$43.81 annually per

room

Reinspection Fee \$183.000 per

reinspection

Transfer Fee \$41.00 per transfer

Reinstatement Fee \$928.00 per building

SECTION 38. Section 3.490 of Part 3 of Resolution No. 72737 is amended as follows:

3.490 <u>Vacant/Neglected Vacant Building</u>

or Structure Registration Fee

\$372.00 per quarter per building or structure

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SECTION 39.

Section 3.520 of Part 3 of Resolution No. 72737 is amended as

follows:

3.520 Automobile Dismantler Permit (SJMC Section 6.14.210)

\$330.50 per year

SECTION 40.

Section 3.530 of Part 3 of Resolution No. 72737 is amended as

follows:

3.530 Automobile Body Repair Shop Permit

\$327.25 per shop

SECTION 41.

Section 3.540 of Part 3 of Resolution No. 72737 is amended as

follows:

3.540

Automobile Body Repair and Dismantler Facility

Reinspection Permit

\$189.00 per shop

Local Enforcement Agency

SECTION 42.

Section 3.550 of Resolution No. 72737 is amended as follows:

3.550 Solid Waste Fees

Solid Waste Enforcement Fee

(SJMC §9.10.960)

\$1.21 per ton of refuse,

including cover material, inert

construction material and recyclable material

SECTION 43.

Section 3.560 of Part 3 of Resolution No. 72737 is amended as

follows:

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2011-12 Fees and Charges

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Off Sale Alcohol Enforcement Program 3.560

Off Sale Alcohol Permit

\$417.75 per business

Reinspection Fee

\$82.50 per reinspection

Permit Transfer

\$41.00 per transfer

Permit Reinstatement

\$864.00 per reinstatement

SECTION 44.

Section 3.570 of Part 3 of Resolution No. 72737 is amended as

follows:

3.570 General Code Program

General Code Reinspection Fee

\$160.00 per

reinspection

SECTION 45.

Part 3 of Resolution No. 72737 is amended to add Section 3.580 as

follows:

3.580 Building Code Compliance Program

Building Code Compliance

\$98.54 per hour

SECTION 46.

Part 3 of Resolution No. 72737 is amended to add Section 3.590 as

follows:

Tobacco Retail Program 3.590

Tobacco Retail Fee

\$437.00 per business

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Tobacco Retail Reinspection Fee

\$138.75 per reinspection

Tobacco Retail Reinstatement Fee

\$860.00 per reinstatement

Tobacco Retail Transfer Fee

\$41.00 per transfer

<u>AMENDMENTS TO PART 4 – ANIMAL SERVICES</u>

There are no proposed changes to Part 4 – Animal Services.

AMENDMENTS TO PART 5--PUBLIC WORKS DEPARTMENT

SECTION 47.

Section 5,010 of Part 5 of Resolution No. 72737 is amended as

follows:

Final Maps and Parcel Maps 5.010

Fee Amount

Final Map clearance review (>100 lots)

\$7,209.00 plus \$25 per lot

(SJMC §19.32.180)

SECTION 48. Section 5.020 of Part 5 of Resolution No. 72737 is amended as follows:

5.020 Engineering and Inspection by City - Surcharge

> Permit (1st and 2nd Extension) \$382.00 per permit extension

> Permit (each Extension past 2) \$898.00 per permit extension

Major or Tract Contract (1st and 2nd Extension) \$749.00 per contract extension

Major or Tract Contract (each Extension past 2) \$1,717.00 per contract extension

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Section 5.030 of Part 5 of Resolution No. 72737 is amended as

follows:

5.030 Streetlights - Design Fee per Streetlight

Initial Evaluation	\$359.00
1 st Streetlight	\$1,366.00
2 nd through 10 th Streetlights	\$1,053.00
11 th through 20 th Streetlights	\$706.00
More than 20 Streetlights	\$473.00

Inspection Fee per Streetlight

1 st Streetlight	\$1,454.00
2 nd through 10 th Streetlights	\$986.00
11 th through 20 th Streetlights	\$668.00
More than 20 Streetlights	\$457.00
Streetlight Re-Inspection	\$210.00 per re-inspection

Plan Check Review Fee per Streetlight

1 st Streetlight	\$911.00
2 nd through 10 th Streetlights	\$712.00
11 th through 20 th Streetlights	\$433.00
More than 20 Streetlights	\$324.00

SECTION 50. Section 5.040 of Part 5 of Resolution No. 72737 is amended as

follows:

5.040 <u>Traffic Signal – Inspection</u>

Major Modification	\$16,958.00 per signal
New	\$13,574.00 per signal
Minor Modification	\$8,200.00 per signal

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SECTION 51. Section 5.060 of Part 5 of Resolution No. 727237 is amended as

follows:

5.060 Public Landscape Improvements - Engineering

Plan Checking and Inspection by City

(SJMC §19.32.170 and SJMC §13.36.070)

Underground Service Alert – Non-Residential

\$0 -- \$50,000 \$250.00 plus 1.43% of estimated

construction costs

\$50,001 -- \$100,000 \$964.00 plus 2.32% of estimated

construction costs > \$50,000

\$100,001 -- \$200,000 \$2,124.00 plus 0.91% of estimated

construction costs > \$100,000

\$200,001 -- \$1,000,000 \$3,032.00 plus 0.14% of estimated

construction costs > \$200,000

Over \$1,000,000 \$4.155.00 plus 0.13% of estimated

construction costs > \$1,000,000

SECTION 52. Section 5.070 of Part 5 of Resolution No. 727237 is deleted.

SECTION 53. Section 5.080 of Part 5 of Resolution No. 727237 is deleted

SECTION 54. Section 5.100 of Part 5 of Resolution No. 72737 is amended as

follows:

5.100 Amount of Natural Earth Material

Hillside: 0 to 500 cubic yards \$2,731.00

Hillside: 501 to 1,000 cubic yards \$2,731.00, plus \$1.37 per cubic

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yard for each yard over 500 cubic

yards

Hillside: 1,001 to 10,000 cubic yards \$3,416.00, plus \$0.33 per cubic

yard for each yard over 1,000 cubic

yards

Hillside: 10,001 to 100,000 cubic yards

\$6,401.00, plus \$0.1 per cubic yard

for each yard over 10,000 cubic

yards

Non-Hillside: 0 to 500 cubic yards

\$1,701.00

Non-Hillside: 501 to 1,000 cubic yards

\$1,701.00, plus \$1.13 per cubic yard for each yard over 500 cubic

yards

Non-Hillside: 1,001 to 10,000 cubic yards

\$2,267.00, plus \$0.21 per cubic yard for each yard over 1,000 cubic

vards

Non-Hillside: 10,001 to 100,000 cubic

yards

\$4,139.00, plus \$0.10 per cubic yard for each yard over 10,000

cubic yards

Hillside/Non-Hillside: 100,001 cubic

yards or more

Time and Materials

SECTION 55. Part 5 of Resolution No. 72737 is amended to add Section 5.103 as

5.103 <u>On-Site Earth Retaining Structure Plan Check</u> and Inspection

1st Retaining Structure

\$540.00 for 1st Structure

Each Additional Retaining Structure

\$300.00 per additional Structure

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follows

SECTION 56.

Part 5 of Resolution No. 72737 is amended to add Section 5.105 as

follows:

5.105 On-Site Storm Plan Check and Inspection

\$80.00 per Storm Connection

60.00 per Storm Inlet/Area Drain

SECTION 57. Part 5 of Resolution No. 72737 is amended to add Section 5.107 as

follows:

5.107

Post-Construction Stormwater Treatment

Measure Inspection (C.3 only)

\$360.00 per Treatment Control

Measure

Post-Construction Stormwater Treatment

Measure Inspection (HM)

Time and Materials

SECTION 58.

Section 5.120 of Part 5 of Resolution No. 72737 is amended as

follows:

5.120 Pavement Design

Non-Standard Projects

Time and Materials

SECTION 59.

Section 5.150 of Part 5 of Resolution No. 72737 is amended as

follows:

5.150 Planning-Related Services

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b. Planned Development Permit:

Residential:

Fee

Per DU: 100 or more

\$3,452.00 plus \$510.00 per additional

100 DU (no prorating)

SECTION 60.

Section 5.200 of Part 5 of Resolution No. 72737 is amended as

follows:

5.200

Non-Standard Development Applications

Time and Materials or as defined in

written agreement

SECTION 61.

Section 5.220 of Part 5 of Resolution No. 72737 is amended as

follows:

5.220 Water Quality Runoff – NPDES – C3

Planning Permit Application Review:

Additional Reviews:

Time and Materials

SECTION 62. Part 5 of Resolution No. 72737 is amended to add Section 5.225 as

follows:

5.225

Sanitary Capacity Analysis

Time and Materials

Model Analysis

Section 5.240 of Part 5 of Resolution No. 72737 is amended as **SECTION 63.** follows and to add Lateral Cleanout in Right-of-Way Fee:

5.240 Sewer Laterals Construction (SJMC §15.16.370)

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Arterial Lateral Sanitary/Storm (property \$2,030.00 per lateral line through 1st traffic lane)

Arterial Lateral Sanitary/Storm (each additional traffic lane) (>10 ft. deep) \$255.00 per additional lane

Local Collector Lateral Sanitary/Storm \$1,520.00 per lateral (<10 ft. deep)

Lateral Cleanout in Right-of-Way \$600.00 per cleanout

SECTION 64. Section 5.250 of Part 5 of Resolution No. 72737 is amended as follows:

5.250 <u>Utility Excavation Permits</u> (SJMC §15.16.330)

Minor Permits

\$335.00 each

SECTION 65. Section 5.290 of Part 5 of Resolution No. 72737 is amended as follows and to add Refund Processing Fee:

5.290 Printing and Duplicating

n. Non-Specific Miscellaneous Services: \$120.00 per hour Office Staff

o. Refund Processing Fee (for withdrawal, cancellation, or overpayment) – not applicable when refund is due to staff fee calculation errors

Office Staff hourly rate at \$120.00 per hour/1 hour minimum applicable when refund is due to staff

Standard Specifications \$30.00 each, plus tax

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Sale of Publications

100% of printing cost

Standard Details

\$10.00 each, plus tax

Document Research Fee

Depends on Staff level:

\$36.00 minimum/\$72.00 per hour

(Clerical);

\$53.50 minimum/\$107.00 per hour

(Permit Specialist)

SECTION 66.

Section 5.300 of Part 5 of Resolution No. 72737 is amended as

follows:

5.300

Notary Service

\$10.00 per request

SECTION 67.

Section 5.340 of Part 5 of Resolution No. 72737 is amended as

follows:

5.340

Repair of Street Damage for Excavation

for Sewer Laterals

Resurfacing Inspector (SJMC §15.16.460)

Time and Materials

SECTION 68.

Section 5.380 of Part 5 of Resolution No. 72737 is amended as

follows and to add Miscellaneous Private Trench Crossings Fee:

5.380 Vacations/Easements

Revocable Encroachment Permits

\$843.00 per permit

Construction/ Destruction of Water

Monitoring Wells (1st 3 wells),

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Soil Sampling,
Borings (1st 3 locations),
Potholing (1st 3 locations),
Scaffolding,
Construction Fencing,
Construction Walls,
Debris Chutes,
Tiebacks for Retaining Walls,
Water Vapor Soil Remediation,
Sanitary Manhole Flow Monitoring (1st 3 locations)

\$843.00 per permit Crane Tower in Public Right-of-Way

\$169.00 per permit
Construction/ Destruction of Water
Monitoring Wells (each additional well
after 3),
Potholing (each additional location after
3),
Soil Sampling Borings (each additional
location after 3),
Sanitary Manhole Flow Monitoring (each
additional location after 3)

\$1,078.00 per Street Closure (all or half street)

Miscellaneous Private Trench Crossings

Time and Materials – See Private Utility Permit Fees

SECTION 69. Part 5 of Resolution No. 72737 is amended to add Section 5.385 as follows:

5.385 Residential Driveway Permit

\$120.00 per driveway

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2011-12 Fees and Charges

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SECTION 70. Part 5 of Resolution No. 72737 is amended to add Section 5.387 as follows:

5.387 <u>Temporary Portable Storage Unit in</u> Right-of-Way

\$120.00 per storage unit

SECTION 71. Section 5.560 of Part 5 of Resolution No. 72737 is amended as follows:

5.560 Geographic Info. Systems Fees

GIS Data Extraction, Compilation, and Programming Fee

Actual Cost of Data Compilation, Extraction, or Programming

SECTION 72. Section 5.570 of Part 5 of Resolution No. 72737 is amended as follows:

5.570 Private Utility Permits

Arterial Utility Trench (0 – 40 LF) \$1,803.00

Arterial Utility Trench (each \$368.00

additional 40 LF)

Local/Collector Utility Trench (0 – 40 \$1,179.00

LF)

Local/Collector Utility Trench (each \$198.00

additional 40 LF)

New Street Utility Trench (0 – 40 LF) \$864.00

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New Street Utility Trench (each additional 40 LF)

\$113.00

AMENDMENTS TO PART 6--DEPARTMENT OF TRANSPORTATION

follows:

6.080

SECTION 73.

Subdivision Pavement Marking Installation

\$388.00 basic fee plus

\$3.09/sq. ft.

(SJMC §19.32.114)

SECTION 74. Section 6.090 of Part 5 of Resolution No. 72737 is amended as

Section 6.080 of Part 6 of Resolution No. 72737 is amended as

follows:

6.090 Subdivision Street Name Sign Installation

\$263.00 per pair of signs

(SJMC §19.32.100)

SECTION 75.

Section 6.100 of Part 6 of Resolution No. 72737 is amended as

follows:

6.100

Subdivision Traffic Control Sign Installation

\$226.00 per sign

(SJMC §19.32.112)

SECTION 76.

Section 6.110 of Part 6 of Resolution No. 72737 is amended as

follows:

6.110 **Taxicab Stand Rentals** \$56.16 per space per month

(SJMC §6.64.030)

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SECTION 77. Section 6.200 of Part 6 of Resolution No. 72737 is amended as follows:

6.200 <u>Sanitary Sewer Wye out Installation</u> (SJMC §15.16.420)

\$2,545.00 per installation

SECTION 78. Section 6.210 of Part 6 of Resolution No. 72737 is amended as follows:

6.210 <u>Subdivision Street Trees Installation and Trimming</u> \$210.00 per tree (SJMC §19.32.110)

SECTION 79. Section 6.240 of Part 6 of Resolution No. 72737 is amended as follows:

6.240 <u>Traffic Signal - Design and Review</u>

Minor Development Signal Design and

Activation \$15,035.00 per signal

Electronic Base Map (optional) \$6,922.00 per signal (not

collected if provided)

County, state, light rail locations \$3,567.00 per signal

Minor Development Signal Design:

Traffic Controller Fee \$5,995.00 per controller (if

applicable)

Minor Development Signal Review and

Activation

\$13,456.00 per signal

Re-review \$670.00 per signal re-review

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after 3rd submittal

Minor Development Signal Review

Traffic Controller Fee \$5,995.00 per controller (if

applicable)

Major Development Signal Design and

Activation

\$25,493.00 per signal

Electronic Base Map (optional) \$6,992.00 per signal (not

collected if provided)

County, state and light rail locations

\$3,597.00 per signal

Major Development Signal Design:

Traffic Controller Fee

\$5,995.00 per controller (if

applicable)

Major Development Signal Review and

Activation

\$20,613.00 per signal

Re-review

\$670.00 per signal re-review after 3rd submitted

Major Development Signal Review:

Traffic Controller Fee

\$5,995.00 per controller (if

applicable)

Section 6.250 of Part 6 of Resolution No. 72737 is amended as **SECTION 80.**

follows:

6.250 Banner Installation \$43.00 per installed banner

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SECTION 81.

Section 6.255 of Part 6 of Resolution No. 72737 is amended as

follows:

6.255 New Banner Installation

\$64.00 per hour plus materials

SECTION 82.

Section 6.260 of Part 6 of Resolution No. 72737 is amended as

follows:

6.260

Signal Central Monitoring Fee

\$77.00 per hour

SECTION 83.

Section 6.270 of Part 6 of Resolution No. 72737 is amended as

follows:

6.270 Freight Loading Zone Permits

Special Freight Loading Zone Permit

\$19.00

Special Loading/Unloading Permit

\$19.00

SECTION 84.

Section 6.280 of Part 6 of Resolution No. 72737 is amended as

follows:

6.280 General Plan Amendment Model Analysis

General Plan Amendment Base Fee

\$955.00

General Plan Amendment Traffic Modeling

\$4,435.00 per analysis

General Plan Amendment requiring EIR

\$4,780.00 per EIR

Additional Runs

\$2,300.00 per additional run

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SECTION 85.

Section 6.290 of Part 6 of Resolution No. 72737 is amended as

follows:

6.290 Valet Parking Zone \$307.00 one-time fee per space

\$45.00 annual fee

SECTION 86.

Section 6.340 of Part 6 of Resolution No. 72737 is amended as

follows:

6.340 **Double Banner Installation Fees**

> Double Banner Installation Fee (for costs associated with the installation of one dual set of wayfinding banners on a single street pole with existing banner hardware)

\$64.00 per installation plus the cost of materials

Double Banner Hardware Installation Fee (for costs associated with the installation of one dual set of wayfinding banners on a single street pole without existing banner hardware)

\$83.00 per installation plus the cost of materials

AMENDMENT TO PART 7 – ENVIRONMENTAL SERVICES DEPARTMENT

Section 7.030 of Part 7 of Resolution No. 72737 is amended as **SECTION 87.**

7.030 Commercial Solid Waste Collection Franchise Application Fee

\$390,00

(SJMC §9.10.1670)

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follows:

2011-12 Fees and Charges

<u>AMENDMENTS TO PART 8 - LIBRARY DEPARTMENT</u>

There are no proposed changes to Part 8 – Library Department.

AMENDMENTS TO PART 9 – CITY CLERK DEPARTMENT

Section 9.010 of Part 9 of Resolution No. 72737 is amended as **SECTION 88.** follows:

9.010 Sale of Publications Fees

> Municipal Code Actual printing cost

> Operating Budget Book Actual printing cost

> Capital Budget Book Actual printing cost

City Charter \$6.00 per copy

Section 9.020 of Part 9 of Resolution No. 72737 is amended as SECTION 89.

follows:

9.020 **Duplication Services**

> Materials (if needed) \$1.75

Video recording (DVD) \$16.00 each

SECTION 90. Section 9.040 of Part 9 of Resolution No. 72737 is amended

as follows:

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2011-12 Fees and Charges

9.040 <u>Special Research/Services</u>

\$50.00/hour plus

materials

SECTION 91.

Section 9.070 of Part 9 of Resolution No. 72737 is amended as

follows:

9.070

Agenda Subscription Fees

City Council meeting agenda

\$60.00/year

Planning Director meeting agenda

\$24.00/year

Planning Commission meeting agenda

\$21.00/year

Redevelopment Agency meeting agenda

\$15.00/year

SECTION 92.

Section 9,090 of Part 9 of Resolution No. 72737 is amended as

follows:

9.090

Lobbyist Fees

(SJMC §12.12.440)

Annual Registration Fee

\$370.00 per registrant plus

\$70.00 per client

Prorated Registration Fee

\$185.00 per registrant plus

\$70.00 per client for ½

year or less

New Client Fee

\$70.00 per client

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2011-12 Fees and Charges

AMENDMENTS TO PART 10 -- FINANCE DEPARTMENT

SECTION 93.

Section 10.050 of Part 10 of Resolution No. 72737 is amended as

follows:

10.050 Christmas Tree and Pumpkin Sales License

(SJMC §6.24.020)

\$88.00 per lot

SECTION 94.

Section 10.060 of Part 10 of Resolution No. 72737 is amended as

follows:

10.060

Circus, Carnival and Parade Permits

(SJMC §6.26.030)

Circus Permit

\$250.00 first day; \$114.00

each additional day

SECTION 95.

Section 10.070 of Part 10 of Resolution 72737 is amended as

follows:

10.070

Handbill Distributors

(SJMC §6.36.070)

Handbill Distributor's License

\$36.00 annually

SECTION 96.

Section 10.080 of Part 10 of Resolution No. 72737 is amended as

follows:

10.080

Solid Waste Collection Delinquency Procedures

(SJMC §9.10.1210)

Administrative charges for Collection

\$76.00

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2011-12 Fees and Charges

Procedures (SJMC §9.10.1220)

Intent to Lien Property

\$19.00

SECTION 97.

Section 10.110 of Part 10 of Resolution No. 727237 is amended as

follows:

10.110 Business Tax Special Reports

Computer Printout

\$45.00 up to 25 pages,

\$1.00 each additional page

CD/E-mail

\$45.00 per CD/transmission

SECTION 98.

Section 10.120 of Part 10 of Resolution No. 72737 is amended as

follows:

10.120

Processing of Exempt Business Tax

\$37.00 per account

Applications

SECTION 99.

Section 10.130 of Part 10 of Resolution No. 72737 is amended as

follows:

10.130 Processing of Checks Returned for Insufficient

Funds

Return Check Fee

\$23,00

SECTION 100.

Section 10.150 of Part 10 of Resolution No. 72737 is amended as

follows:

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2011-12 Fees and Charges

10.150 Collection Recovery Fees

Collection Fee (60-90 days past due)

\$27.00

SECTION 101. Section 10.170 of Part 10 of Resolution No. 72737 is amended as follows:

10.170 Administrative Remedies Lien Fee

\$54.00 per lien

SECTION 102. Section 10.180 of Part 10 of Resolution No. 72737 is amended as follows:

10.180 Sidewalk Lien Administrative Fee

\$54.00 per lien

<u>AMENDMENTS TO PART 11 -- ECONOMIC</u> <u>DEVELOPMENT/CULTURAL</u> AFFAIRS

SECTION 103. Section 11.010 of Part 11 of Resolution No. 72737 is amended as follows:

11.010 Foreign Trade Zone Fees

1. Main Zone Fee

a. Annual Fee

\$3,000.00

2. Subzone Fees

a. Application Fee

\$5,000.00

b. Annual Fee

\$15,000.00

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2011-12 Fees and Charges

AMENDMENTS TO PART 12 - HOUSING

There are no proposed changes to Part 12 – Housing.

AMENDMENTS TO PART 13 – GENERAL SERVICES

There are no proposed changes to Part 13 – General Services.

The fees, bonds, charges and deposits specified in the Schedule of Fees SECTION 104. and Charges are listed by Department for purposes of administrative convenience only, and such fee, bond, charge or deposit shall be submitted to the Department or official responsible for its collection at the time it is due and payable.

SECTION 105. The fees, bonds, charges or deposits specified in the Schedule of Fees and Charges noted by an asterisk (*) denote a typographical correction from prior resolutions.

SECTION 106. Except for the fees set forth above for development-related services, the provisions of this Resolution shall become effective on July 1, 2011. The fees for development-related services shall become effective August 15, 2011. Until August 15, 2011, the fees for development-related services shall be the development-related fees set forth in Resolution No. 72737 as amended.

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ADOPTED this 14 th day of June, 2011, by the following vote:	
AYES:	
NOES:	
ABSENT:	
DISQUALIFIED:	
ATTEST:	CHUCK REED Mayor
DENNIS D. HAWKINS, CMC City Clerk	

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